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2 **COUNTY OF KERN, STATE OF CALIFORNIA**
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**Attorney for Defendants,
County of Kern, Office of the
Kern County District Attorney,
Kern County District Attorney
Edward R. Jagels, Stephen
Tauzer (deceased), Estate of
Stephen Tauzer, Victoria Sharp**

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

13 GEORGE A. BOYLE, NORALEE BOYLE,)
14 DEAN J. MILLER, VICTOR VEVEA,)
15 ALENA VEVEA, RAMONA GUILLEN,)
16 MIRIAM RUIZ, LAW OFFICES OF)
17 GEORGE A. BOYLE, GIACHINO FAMILY)
18 ENTERPRISES,)
19 Plaintiffs,)
20)
21 v.)
22)
23 COUNTY OF KERN, CITY OF)
24 BAKERSFIELD, OFFICE OF THE KERN)
25 COUNTY DISTRICT ATTORNEY,)
26 BAKERSFIELD POLICE DEPARTMENT,)
 BAKERSFIELD CITY MANAGER ALAN)
 TANDY, BAKERSFIELD POLICE CHIEF)
 ERIC MATLOCK, KERN COUNTY)
 DISTRICT ATTORNEY EDWARD R.)
 JAGELS, STEPHEN TAUZER (deceased),)
 ESTATE OF STEPHEN TAUZER,)
 VICTORIA SHARP, SCOTT)
 TUNNICLIFFE, RALPH WYATT,)
 Does 1 - 1,000,)
 Defendants.)
)
 CASE NO. CIV-F-03-5162 OWW LJO
 STIPULATION DISMISSING ALL
 DEFENDANTS FROM ALL CAUSES
 OF ACTION BY PLAINTIFF DEAN
 J. MILLER; ORDER

27 COME NOW, all Defendants and Plaintiff Dean J. Miller and stipulate to the dismissal
28 of plaintiff Dean J. Miller's complaint, and all causes of action therein, with prejudice, as to

1 all defendants, including but not limited to County of Kern, City of Bakersfield, Office of the
2 Kern County District Attorney, Bakersfield Police Department, Bakersfield City Manager Alan
3 Tandy, Bakersfield Police Chief Eric Matlock, Kern County District Attorney Edward R.
4 Jagels, Stephen Tauzer (Deceased), Estate of Stephen Tauzer, Victoria Sharp, Scott
5 Tunnicliffe and Ralph Wyatt;

6 Plaintiff Dean J. Miller and Defendants County of Kern, City of Bakersfield, Office of
7 the Kern County District Attorney, Bakersfield Police Department, Bakersfield City Manager
8 Alan Tandy, Bakersfield Police Chief Eric Matlock, Kern County District Attorney Edward R.
9 Jagels, Stephen Tauzer (Deceased), Estate of Stephen Tauzer, Victoria Sharp, Scott
10 Tunnicliffe and Ralph Wyatt individually and mutually stipulate that the parties to this
11 dismissal will each bear his/her/its own costs and attorney's fees in this litigation with respect
12 to the prosecution of this litigation by Plaintiff Dean J. Miller against each defendant. This
13 agreement for Dean J. Miller and each and every defendant to bear his/her/its respective
14 costs of defense is applicable as to the complaint filed by Plaintiff Dean J. Miller only, and
15 does not apply to the complaint of any other plaintiff in this action.

16 It is further agreed and stipulated that this dismissal and waiver of costs from Plaintiff
17 Dean J. Miller will in no manner prejudice any defendant[s] from pursuing costs, attorneys
18 fees and any and all available causes of action against the remaining plaintiffs for their
19 alleged wrongful and malicious prosecution of this civil action against these defendants.

20 This stipulation is not binding on any other plaintiff in this matter.

21 Dated: July 27, 2005

B.C. BARMANN, SR., COUNTY COUNSEL

22 /s/ Andrew C. Thomson

23 By _____

24 Andrew C. Thomson, Deputy
25 Attorney for Defendants,
26 County of Kern, Office of the Kern
27 County District Attorney, Kern
28 County District Attorney Edward R.
Jagels, Stephen Tauzer (deceased),
Estate of Stephen Tauzer, and
Victoria Sharp

1 Dated: July 26, 2005

VIRGINIA GENNERRO, CITY ATTORNEY

2
3 /s/ Robert M. Sherfy

By _____
4 Robert Sherfy, Assistant City Attorney
5 Attorney for Defendants,
6 City of Bakersfield, Bakersfield Police
7 Department, Bakersfield City Manager Alan
8 Tandy, Bakersfield Police Chief Eric Matlock,
9 Scott Tunnicliffe and Ralph Wyatt

10 Dated: July 26, 2005

DEAN J. MILLER, ESQ.

11
12 /s/ Dean J. Miller

By _____
13 Dean J. Miller, Miller & Jackson

ORDER

14 Good cause appearing consistent with the above stipulation of the parties, the
15 complaint and action of plaintiff Dean J. Miller is dismissed with prejudice as to all
16 defendants including the County of Kern, City of Bakersfield, Office of the Kern County
17 District Attorney, Bakersfield Police Department, Bakersfield City Manager Alan Tandy,
18 Bakersfield Police Chief Eric Matlock, Kern County District Attorney Edward R. Jagels,
19 Stephen Tauzer (Deceased), Estate of Stephen Tauzer, Victoria Sharp, Scott Tunnicliffe and
Ralph Wyatt. Each side to bear its own costs.

20
21 DATED: __August 2_____, 2005

/s/ OLIVER W. WANGER

22
23 HONORABLE OLIVER W. WANGER
24 United States District Court Judge